

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

FEDERAL INSURANCE COMPANY
15 Mountain View Road
Warren, NJ 07061,

Plaintiff,

V.

FSS AUTOMATIC SPRINKLER
P.O. Box 3116
Plymouth, MA 02361,

Defendant.

**CIVIL ACTION NO.
05-10308-WGY**

**PARTIES' RULE 16
JOINT STATEMENT**

Pursuant to Fed. R. Civ. P. 26(f) and L.R. 16.1, the parties to this matter have conferred on May 26, 2005, and submit the following joint statement:

I. Discovery and Motion Schedule

1. Service of written discovery: July 1, 2005.
2. Deadline for joining additional parties: October 1, 2005.
3. Deadline for disclosure of expert witnesses and service of expert reports: December 1, 2005.
4. Deadline for disclosure of rebuttal expert witnesses and rebuttal expert reports: February 1, 2006.
5. Deadline for completion of all discovery other than expert depositions: March 1, 2006.
6. Deadline for filing of dispositive motions: May 1, 2006.
7. Deadline for filing oppositions to dispositive motions: June 1, 2006.
8. Deadline for filing responses to oppositions to dispositive motions: June 15, 2006.

9. Deadline for completion of expert depositions: 60 days after resolution of all pending dispositive motions.
10. Final pre-trial conference: Approximately 30 days following completion of expert depositions or 30 days following disposition of any dispositive motions.
11. Trial date: To be scheduled at final pre-trial conference.

II. Trial Before Magistrate Judge

Both parties assent to trial before a magistrate judge.

III. Certifications of Parties

The parties will file separately the certifications required by Local Rule 16.1(D)(3).

Respectfully Submitted,

/s Andrew R. Weiner
JENNIFER ELLIS BURKE
BBO #554632
ANDREW R. WEINER
BBO #655170
TAYLOR, DUANE, BARTON & GILMAN, LLP
160 Federal Street, 5th Floor
Boston, MA 02110
617-654-8200
Fax: 617-482-5350
e-mail: aweiner@TDBGLLP.com

Attorneys for Defendant,
FSS Automatic Sprinkler

/s Patrick J. Loftus (w/ assent)
PATRICK J. LOFTUS III
BBO # 303310
9 Park Street, Suite 500
Boston, MA 02108
617-723-7770
Fax: 617-248-9752
e-mail: soxdctr@aol.com

OF COUNSEL:

MARK E. UTKE
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
215-665-2164
Fax: 215-601-2164
e-mail: mutke@cozen.com

Attorneys for Plaintiff,
Federal Insurance Company